

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

KEVIN E. HARDAWAY,)	
)	
Plaintiff,)	
)	
v.)	CV423-305
)	
LT. KAPLAN,)	
)	
Defendant.)	


ORDER

The Court previously directed service of *pro se* plaintiff Kevin E. Hardaway's 42 U.S.C. § 1983 Complaint, alleging that Defendant Kaplan was deliberately indifferent to a known threat to his safety. *See* doc. 14 at 3, 7. Kaplan waived personal service, doc. 18, and moved to dismiss the Complaint, doc. 21. He also moved to stay deadlines in this case pending disposition of that Motion. Doc. 22. After Hardaway failed to respond to either Motion, the Court directed him to show cause why his case should not be dismissed for failure to prosecute. *See* doc. 23. Hardaway has failed to respond to that Order. *See generally* docket.

A district court retains the inherent power to police its docket and to enforce its orders. *Link v. Wabash Railroad Co.*, 370 U.S. 626, 630-31

(1962); *Mingo v. Sugar Cane Growers Co-op*, 864 F.2d 101, 102 (11th Cir. 1989); *Jones v. Graham*, 709 F.2d 1457, 1458 (11th Cir. 1983); *Brown v. Tallahassee Police Dept.*, 205 F. App'x 802, 802 (11th Cir. 2006). Under the Federal Rules of Civil Procedure, a complaint may be dismissed either for failure to prosecute or for failure to comply with an order of the court. Fed. R. Civ. P. 41(b). Additionally, this Court's Local Rules provide that the Court may dismiss an action for want of prosecution when a party has "willful[ly] disobe[yed] . . . any order of the Court" or for "[a]ny other failure to prosecute a civil action with reasonable promptness." S.D. Ga. L.R. 41.1(b), (c). Hardaway's failure to prosecute this case and failure to respond to the Court's Order warrant dismissal. Accordingly, his Complaint is **DISMISSED** for failing to obey a court order and failing to prosecute his case. Doc. 1. Defendant's Motions to Dismiss and to Stay are **DISMISSED** as moot. Docs. 21 & 22. The Clerk of Court is **DIRECTED** to **CLOSE** this case.

SO ORDERED, this 25th day of April, 2024.


CHRISTOPHER L. RAY
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA